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C O N F I D E N T I A L KABUL 005076

SIPDIS

DEPT FOR SA/FO AMBASSADOR QUINN, S/CT, SA/A  
NSC FOR AHARRIMAN, KAMEND  
CENTCOM FOR POLAD, CG CFA-A, CG CJTF-76

E.O. 12958: DECL: 01/24/2015

TAGS: [PGOV](#) [PHUM](#) [IR](#) [RS](#) [BO](#) [AF](#) [UNGA](#) [SEP](#)

SUBJECT: THE DIPLOMATIC COMMUNITY DELIVERS DEMARCHE ON  
JAILED JOURNALIST ALI MOHAQIQ NASAB

REF: KABUL 4884

Classified By: AMBASSADOR RONALD NEUMANN FOR REASONS  
1.4 (B) AND (D)

1. (SBU) On December 13, 2006, a diplomatic delegation lead by Canadian Ambassador David Sproule delivered a demarche to Minister of Foreign Affairs Abdullah Abdullah addressing the arrest, trial proceedings, and jail sentence of Afghan journalist Ali Mohaqiq Nasab. The delegation included Ambassadors from Canada, Norway, Italy, EUSR, and representatives from the EC and the USA. The delegation informed Abdullah that the international community was concerned with Mr. Nasab's case, which runs contrary to Afghanistan's responsibility to protect the rights to freedom of opinion and expressions, as guaranteed under article 34 of the Afghan Constitution, and article 19 of the International Convention on Civil and Political Rights to which Afghanistan is a Party. They also noted that the involvement of the Supreme Court in the criminal trial process highlights deficiencies in the judicial system. The case should have been tried by the Media Commission and not the Supreme Court. After raising these issues, the delegation requested the release of Mr. Nasab.

2. (SBU) Abdullah agreed that certain judicial procedures were breached in the handling of Mr. Nasab's case and that the earlier this case was resolved the better all concerned would be. He stated that he was scheduled to meet with President Karzai later today and would pass the message on to him.

3. (C) Subsequent to the delivery of the demarche, Abdullah met privately with Sproule and informed him that the GOA will make every effort to release Nasab before parliament convenes on Dec 19, 2005. (COMMENT. We cannot guarantee that this will happen. We will continue to press the issue but should not in any way publicize the hope of an early release. END COMMENT.)

4. (SBU) We will continue to monitor the case and provide an update when Nasab is released.  
NEUMANN